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4 **UNITED STATES DISTRICT COURT**
5 **NORTHERN DISTRICT OF CALIFORNIA**
6 **SAN FRANCISCO DIVISION**

7 **OKI AMERICA, INC., ET AL.,**

8 **PLAINTIFF,**

9 **VS.**

10 **ADVANCED MICRO DEVICES, INC.,**

11 **DEFENDANT.**

12 **ADVANCED MICRO DEVICES, INC.,**

13 **COUNTERCLAIMANT,**

14 **VS.**

15 **OKI AMERICA, INC., OKI ELECTRIC**
16 **INDUSTRY CO., LTD., OKI DATA**
17 **CORPORATION AND OKI DATA AMERICAS,**
18 **INC.,**

19 **COUNTER-DEFENDANTS.**

C04-03171-CRB

STIPULATION TO MODIFY ORDER OF
DISMISSAL

20 WHEREAS, on December 7, 2006, the parties settled the case; and

21 WHEREAS, AMD and Oki agreed to settle and dismiss the above captioned action
22 *with* prejudice; and

23 WHEREAS, on December 12, 2006, the Court issued an Order of Dismissal at paper
24 no. 682 dismissing the case *without* prejudice; and

25 WHEREAS, the parties therefore, respectfully request that the Court re-issue its
26 Order of Dismissal to dismiss the above captioned case with prejudice to reflect the parties'
27 agreement.
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1 IT IS HEREBY STIPULATED AND AGREED by and between all parties that, in
2 light of the agreement embodied in the Sealed Transcript of Confidential Proceedings in
3 Judge Spero's Court dated December 7, 2006, the case be dismissed with prejudice.

4 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.
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8 VINSON & ELKINS, LLP

9 Dated: January 19, 2007

10 /s/ Willem G. Schuurman
Willem Schuurman

11 Attorneys for Advanced Micro Devices, Inc.

12 KELLOGG, HUBER, HANSEN, TODD &
13 EVANS, PLLC

14 /s/ J.C. Rozendaal

15 John C. Rozendaal

16 Attorneys for Oki America, et al.
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18 The parties hereto, by stipulation, having advised the Court that they have agreed to a
19 settlement of this case,

20 **IT IS HEREBY ORDERED** that this case be dismissed with prejudice.
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22 Dated: January 23, 2007

23 CHARLES R. BREYER
24 UNITED STATES DISTRICT COURT

